

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 v.)
)
 ROBERT A. RAMOS,)
)

1:04CR10146-WGY-001

**MEMORANDUM OF LAW IN SUPPORT OF UNITED STATES' MOTION TO
DECLARE FORFEITURE OF MONEY SEIZED FROM DEFENDANT**

Pursuant to 18 U.S.C. § 3572(d)(1) and 42 U.S.C. § 1651, the United States of America moves this Court to order that \$300.00 of the \$2,000.00 seized from Robert A. Ramos (hereinafter "Ramos") be applied toward satisfaction of the Court's imposed \$300.00 Special Assessment.

Ramos, following his conviction as charged in the indictment, was sentenced by the Court, *inter alia*, to pay a Special Assessment in the amount of \$300.00.

Federal Statute, 18 U.S.C. § 3572 (d)(1) provides that "a person sentenced to pay a fine or other monetary penalty shall make such payment immediately, unless in the interest of justice, the Court provides for payment on a date certain or in installments."

The sum of \$300.00, which is the subject of this motion, was seized as evidence from the defendant by the Federal Bureau of Investigations, and therefore subject to payment to the United States in satisfaction of the defendant's outstanding Special Assessment obligations.

For the following reasons, Plaintiff, United States of America, respectfully requests this Court to order the \$300.00 seized from Ramos be applied to satisfy the \$300.00 criminal Special Assessment.

Respectfully submitted,
UNITED STATES OF AMERICA
By its attorneys

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Christopher R. Donato
CHRISTOPHER R. DONATO
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3303

Dated: December 22, 2005